

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**BLACKWELL MOTORS, INC.,**

**Plaintiff,**

**vs.**

**DAVID WRIGHT and**

**DAVID KNAPP,**

**Defendants.**

**Case No. 4:09cv0755 TCM**

**ORDER**

This dispute is again before the Court on the parties' request to amend the case management order entered on July 1, 2009. An earlier motion was denied on the grounds that the proposed revised deadline of April 25, 2010, for the completion of the briefing cycle for a dispositive motion was too close to the trial date of June 14, 2010, to permit sufficient time for the Court to appropriately review and rule any such motion. In this pending second motion, the briefing cycle would end eleven days earlier, on April 14, 2010.

The Court requires approximately ninety days between the completion of a briefing cycle for a dispositive motion and the trial date. (The Court notes that pretrial compliance material is due twenty days before trial, leaving the Court approximately nine weeks to rule on any dispositive motion.) The case management order now in effect allows for approximately 109 days. The Court will entertain a motion that recognizes this need.

For the foregoing reasons,

**IT IS HEREBY ORDERED** that the parties' first amended joint motion to amend case management order is DENIED without prejudice. [Doc. 17]

/s/Thomas C. Mummert, III  
THOMAS C. MUMMERT, III  
UNITED STATES MAGISTRATE JUDGE

Dated this 1st day of December, 2009.